

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
DOCKET NO. 1:09CR57-V**

UNITED STATES OF AMERICA)	
)	
v.)	PRELIMINARY
)	ORDER OF FORFEITURE
BRYAN KEITH NOEL,)	
)	
Defendant.)	
)	

THIS MATTER is before the Court on the Government's Motion for Preliminary Order of Forfeiture.

THIS COURT FINDS, based on the information set forth in the Government's Motion and attachments, that the Government has satisfied the provisions of 21 U.S.C. § 853(p) since, as a result of any act or omission of Defendant, property subject to forfeiture as proceeds of or involved in the offenses of which Defendant was found guilty (1) cannot be located upon the exercise of due diligence, (2) has been transferred or sold to, or deposited with, a third party, (3) has been placed beyond the jurisdiction of the Court, (4) has been substantially diminished in value, or (5) has been commingled with other property which cannot be divided without difficulty. In addition, this Court finds that a forfeiture money judgment in the amount of \$9,685,925.80 remains outstanding in this case by virtue of the Consent Order and Judgment of Forfeiture at Docket Number Ninety-Three.

IT IS THEREFORE ORDERED that, based upon the verdict of guilty, the Consent Order and Judgment of Forfeiture, and the facts set forth in the Government's Motion for Preliminary Order of Forfeiture and attachment, the following properties are forfeited to the

United States pursuant to 21 U.S.C. § 853(p) and the United States is authorized to seize the properties and continue to maintain the properties for disposition according to law:

One 2006 Honda Ridgeline, VIN 2HJYK16576H509699, titled to Bryan Noel and an individual identified herein as "H.N." and seized by the Federal Bureau of Investigation; and

\$12,400 in funds seized by the Federal Bureau of Investigation from a State Employees Credit Union safe deposit box held in the name of Bryan Noel.

The Government shall provide notice of this order in accordance with law and notice that third parties must, within thirty days of publication of notice or receipt of notice, whichever is earlier, petition the Court for a hearing to adjudicate third party interests in the specific properties pursuant to 21 U.S.C. § 853(n). Upon adjudication of all third party interests, this Court will enter a final order and judgment of forfeiture of the specific assets.

Signed: September 15, 2010

A handwritten signature in black ink, reading "Richard L. Voorhees", written over a horizontal line.

Richard L. Voorhees
United States District Judge

